

### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2 and 3 have been canceled.

New claims 16 and 17 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1 and 4-17 are now pending in this application.

#### **Rejection under 35 U.S.C. § 102**

Claims 1-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,067,191 to Derflinger *et al.* (hereafter "Derflinger"). This rejection is respectfully traversed.

Amended claim 1 recites a substrate covered at least partially with a layered coating, said layered coating comprising an intermediate coating and a hard carbon coating, said intermediate coating comprising a first metal layer deposited on the substrate, said first metal layer comprising at least one element of group IVB, group VB or group VIB; a nitride layer deposited on said first metal layer, said nitride layer comprising at least one nitride of an element of group IVB, group VB or group VIB; a second metal layer deposited on said nitride layer, said second metal layer comprising at least one element of group IVB, group VB or group VIB; a transition layer deposited on said second metal layer, said transition layer comprising at least one carbide of an element of group IVB, group VB or group VIB, wherein said hard carbon coating comprises a diamond-like nanocomposite (DLN) coating. Claims 4-15 depend from amended claim 1.

Derflinger discloses a layer system that includes a base body 1, a metallic intermediate layer 2b, a hard material layer 2a, a metallic intermediate layer 3, a metal carbide layer 4b, and a slide layer 4a. See Derflinger at col. 2, line 48, to col. 3, line 40, and Figure 3. The metallic intermediate layer 2b and the metallic intermediate layer 3 can include the same metal used in the hard material layer 2a, which can be a nitride of a metal. See Derflinger at col. 2, lines 48-59, and col. 3, lines 25-30. Derflinger discloses that the hard material layer 2a can include titanium, chromium, hafnium, or zirconium. See Derflinger at col. 3, lines 6-12. Derflinger also discloses that the slide system 4 can include diamond-like-carbon. See Derflinger at col. 4, lines 49-58.

However, Derflinger does not disclose a hard carbon coating comprising a diamond-like nanocomposite (DLN) coating, as recited in claim 1. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131. Therefore, Derflinger does not anticipate claim 1 because Derflinger fails to disclose all of the features of claim 1.

Reconsideration and withdrawal of this rejection is respectfully requested for at least the reasons discussed above.

#### **New Claims**

New claims 16 and 17 have been added. Claims 16 and 17 depend from claim 1 and are allowable over the prior art for at least the reasons discussed above and for their respective additional recitations.

#### **Conclusion**

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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